

IN RE:  
IRMA ADELINA RODRIGUEZ COSSIO

CASE NO. 12-04078-EAG

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT  
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$504,647.00 R2016 STM. \$3,000.00**

<b>TOTAL ATTORNEYS FEES THRU PLAN: \$2,000.00   Fees paid: \$0.00   Fees Outstanding: \$2,000.00</b>
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With respect to the proposed (amended) Plan dated: **November 28, 2012** (Dkt 36). Plan Base: **218,160.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

**- Feasibility [§1325(a)(6)]**

(1) Debtor is requesting a mortgage modification with First bank the feasibility of the plan depends on such loan modification. (2) Also Debtor must submit evidence that lump sum payment proposed in the plan is feasible. Debtor intends to make lump sum payment from monies received from the division of the conjugal partnership between her and her ex-husband, Rafael Rodriguez Mojica, and Mr. Rodriguez has filed bankruptcy (Case No. 12-01268).

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this February 20, 2013.

/s/ Julié Perez -Staff Attorney

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